



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II
290 BROADWAY
NEW YORK, NEW YORK 10007-1866

OCT - 6 2015

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Piermont Cleaners
1309 Broadway
Hewlett, NY 11557-2115
Attention: Mr. D. H. Kim

Re: Peninsula Boulevard Groundwater Plume Superfund Site, Hewlett, Nassau County, New York: Notice of Potential Liability Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §§ 9601-9675

Dear Mr. Kim:

The U.S. Environmental Protection Agency ("EPA") is charged with responding to the release or threatened release of hazardous substances, pollutants, and contaminants into the environment and with enforcement responsibilities under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. §§ 9601-9675.

EPA has documented the release and threatened release of hazardous substances into the environment at the Peninsula Boulevard Groundwater Plume Superfund Site, located in Hewlett, Nassau County, New York (the "Site"). At the request of the New York State Department of Environmental Conservation ("NYSDEC"), EPA assumed responsibility for the Site in 2005. EPA has spent and anticipates spending additional public funds to investigate and remediate releases or potential releases of hazardous substances at this Site.

SITE BACKGROUND

The Site consists of the area within and around a groundwater plume located in and around the area of Hewlett Parkway and West Broadway in the Village of Hewlett, Town of Hempstead, Nassau County, New York.

As part of what is known as Operable Unit 1 ("OU1"), EPA conducted a remedial investigation ("RI") at the Site from 2005 through 2010, to determine the nature and extent of contamination. The RI identified groundwater contaminated with tetrachloroethylene ("PCE"), its breakdown products, and low levels of other volatile organic compounds. The source of the PCE groundwater contamination was not identified during the OU1 RI.

Since 2012, EPA has been conducting an RI for what is known as Operable Unit 2 ("OU2") at the Site to determine the source(s) of contamination. PCE was detected in high concentrations in the analysis of groundwater samples taken at your property.

NOTICE OF POTENTIAL LIABILITY

Under CERCLA and other laws, a potentially responsible party ("PRP") may be required to perform cleanup actions and/or may be held liable for costs incurred by the federal government in taking response actions at and around sites where there has been a release or a threatened release of hazardous substances. This can include costs incurred performing investigative, planning, removal, and enforcement activities. By this letter, EPA is notifying your company, Piermont Cleaners, that because of its actions as an owner or operator of a facility that disposed of hazardous substances at the Site, it is considered to be a PRP, pursuant to Section 107(a) of CERCLA, 42 U.S.C. § 9607(a).

This notice letter is not being provided pursuant to the special notice procedures outlined in Section 122(e) of CERCLA, 42 U.S.C. § 9622(e), because EPA does not believe that those procedures would expedite remedial action at this Site.

If you have any questions or would like to discuss this matter further, you can contact:

Gloria M. Sosa
Remedial Project Manager
Western New York Remediation Section
Emergency and Remedial Response Division
U.S. Environmental Protection Agency, Region 2
sosa.gloria@epa.gov
212.637.4283

or:

Andrew Praschak
Assistant Regional Counsel
New York/Caribbean Superfund Branch
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 2
praschak.andrew@epa.gov
212.637.3172

RESOURCES AND INFORMATION FOR SMALL BUSINESSES

As you may be aware, the Superfund Small Business Liability Relief and Brownfields Revitalization Act contains several exemptions and defenses to CERCLA liability, which we suggest that all parties evaluate. You may download a copy of the law at <http://www.gpo.gov/fdsys/pkg/PLAW-107publ118/pdf/PLAW-107publ118.pdf> and review EPA guidances regarding these exemptions at <http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/>.

EPA has created a number of helpful resources for small businesses. EPA has established the National Compliance Assistance Clearinghouse as well as Compliance Assistance Centers which offer various forms of resources to small businesses. You may inquire about these resources at <http://www2.epa.gov/compliance/compliance-assistance-centers>. In addition, the EPA Small Business Ombudsman may be contacted at <http://www.epa.gov/sbo>. Finally, EPA has developed a fact sheet about the Small Business Regulatory Enforcement Fairness Act (SBREFA) and information on resources for small businesses, which is enclosed with this letter and available on the Agency's website at <http://www2.epa.gov/compliance/small-business-resources-information-sheet>.

If you have any technical questions or would like to discuss this matter with EPA, please contact Ms. Sosa. Should you have any legal questions regarding this Site, please direct them to Mr. Prashak.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Nicoletta DiForte".

Nicoletta DiForte, Deputy Director
Emergency and Remedial Response Division

cc: Sheldon Glass, Counsellor at Law
39-01 Main Street
Flushing, New York 11354